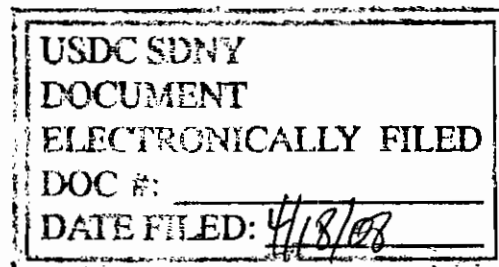


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April 18, 2008

By Facsimile No. 212-805-7924
The Honorable Sidney H. Stein
United States District Judge
United States Courthouse
500 Pearl Street, Room 1010
New York, New York 10007-1312

MEMO ENDORSED

Re: *Wesley Gabriel, et al. v. Brian Fischer et al.*, 08 Civ. 2460 (SHS)

Dear Judge Stein:

We represent plaintiffs and the putative plaintiff class in the above-referenced action. With defendants' consent,¹ we write to request a one-week extension – to April 25, 2008 – of plaintiffs' time to file reply papers in support of their motion for a preliminary injunction. This is plaintiffs first request for an extension.

By Order To Show Cause dated March 13, 2008, this Court directed that defendants' opposition papers be filed by April 11, with plaintiffs' reply papers due today, April 18. Yesterday, the Court issued an order adjourning argument on plaintiffs' motion to May 9, 2008, along with argument on a similar motion made in a recently filed related action, *Smith v. Patterson*, 08 Civ. 3313 (SHS). The plaintiffs' reply papers in *Smith* are due Friday, April 25.

Plaintiffs were unaware of the recent *Smith* action until the Court referenced it in its order dated yesterday. We seek an extension to allow us to evaluate the impact of the relief sought and arguments made in the related case and to communicate with plaintiffs' counsel. We just received copies of the *Smith* plaintiffs' motion papers at noon today.

Thank you for your attention to this request.

Respectfully submitted,

Matthew D. Brinckerhoff (3552)

SO ORDERED 4/18/08

SIDNEY H. STEIN
U.S.D.J.

c. Michael J. Keane, Esq. (by email)

¹ Defendants also seek leave to file supplemental papers by no later than May 2, 2008 should there be further developments in this or other cases. Plaintiffs consent to this request.